

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
REGULAR MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

October 3, 2023
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

- Rich Peterson, Chairman
- Ron Terriaco, Member
- Frank Schindler, Member
- Hiram Reppert, Member

Also Present:

- Heather Freeman, Planning & Zoning Director/Zoning
Inspector
- Keith Petersen, Esq., Legal Counsel

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

CHAIRMAN PETERSON: Good evening. I am calling to order the Concord Township Zoning Commission meeting for Tuesday, October 3, 2023. We will start out with the roll call of the members. Heather.

MS. FREEMAN: Mr. Reppert.

MR. REPPERT: Here.

MS. FREEMAN: Mr. Schindler.

MR. SCHINDLER: Here.

MS. FREEMAN: Mr. Peterson.

CHAIRMAN PETERSON: Here.

MS. FREEMAN: Mr. Terriaco.

MR. TERRIACO: Here.

CHAIRMAN PETERSON: Okay. Thank you.

Two of our regular members are not here today. They are both absent. So Ron Terriaco is our alternate. He will be sitting in. Normally we would have five up here. We have four tonight.

First items of business to take care of are the approval of the August 1st minutes for that meeting. We didn't have a meeting in September, so we go back to August. Any comments on the August minutes?

1 MR. REPPERT: Yes.

2 CHAIRMAN PETERSON: You found something.
3 Okay.

4 MR. REPPERT: Page 1, line 21,
5 Andrew Lingenfelter should be Vice Chair.
6 Everybody else has a title behind them.

7 CHAIRMAN PETERSON: Okay. So should
8 read Vice Chairman.

9 MR. REPPERT: Yup. That's all I
10 have. That's all I found.

11 CHAIRMAN PETERSON: Anybody have
12 anything else?

13 So the only thing Hiram suggests is we
14 add, after Andy's name on line 21, we add Vice
15 Chairman.

16 So with that I'll entertain a motion to
17 approve the minutes with that one amendment.

18 MR. SCHINDLER: Mr. Chairman, I so
19 move we approve the minutes as corrected.

20 CHAIRMAN PETERSON: Thank you, Frank.

21 Do I have a second?

22 MR. TERRIACO: Second.

23 CHAIRMAN PETERSON: We have a motion
24 and a second. All in favor say aye.

25 Aye.

1 MR. TERRIACO: Aye.

2 MR. SCHINDLER: Aye.

3 MR. REPPERT: Aye.

4 CHAIRMAN PETERSON: Minutes for
5 August 1, 2023 are approved.

6 Next is correspondence. I'll start on
7 my left with Frank. Did you have anything?

8 MR. SCHINDLER: No, Mr. Chairman.

9 CHAIRMAN PETERSON: Hiram?

10 MR. REPPERT: None, Mr. Chairman.

11 CHAIRMAN PETERSON: Ron?

12 MR. TERRIACO: None.

13 CHAIRMAN PETERSON: And I had none, so
14 no correspondence.

15 Public participation. I don't see any
16 public here, so I'm assuming there will be no
17 public participation tonight.

18 So we will move on to new business.
19 Our one item of news business tonight to
20 discuss is the preapproval discussion,
21 informal review rather of a project that would
22 go into the Quail Hollow PUD, and we have a
23 letter from Barrington Consulting Group
24 defining the entire project, telling us what
25 they would envision, and it's up to us tonight

1 to discuss that.

2 This is an informal review, so I would
3 like to just read a preamble that Heather put
4 into her comments. That's basically saying in
5 our zoning requirements Section 36.03(D) it
6 says no action shall be taken at such a
7 meeting, such as a preapproval meeting. And
8 no discussions, opinions, suggestions, or
9 recommendation discussed at the informal
10 review meeting shall be relied upon by the
11 applicant to indicated any potential and
12 subsequent approval or disapproval of a plan.

13 So we're not going to approve anything,
14 we're not going to disprove anything. We're
15 just going to discuss any concerns that might
16 be up here on the Board, and can understand
17 what the project consists of perhaps a little
18 better.

19 So the item says that Barrington
20 Consultants, on behalf of property owner Quail
21 Developers, Incorporated is requesting an
22 informal review for a potential commercial
23 project located in the northeast corner of
24 Crile and Hunting Lake Roads. Current Parcel
25 Number 08-A-020-C-00-002-0. The property is

1 zoned R-2 Planned Unit Development.

2 So with that, before we even go on, I
3 believe you're probably here to represent
4 that?

5 MR. VICTOR: Right.

6 CHAIRMAN PETERSON: If you would like to
7 come up and give as an overview, please.

8 MR. VICTOR: Should I state my
9 name?

10 CHAIRMAN PETERSON: For the record.

11 MR. VICTOR: Todd Victor with Quail
12 Developers, Inc.

13 We want to propose a building which
14 will be our new offices for Ralph Victor
15 Construction and Quail Developers.

16 Then we will probably have two more
17 slots to be rented out to stores or whoever
18 would want to rent there for maybe a workout
19 facility. And then out in front we have a
20 small building, similar to the Starbucks size
21 with a drive-thru on the front corner.

22 CHAIRMAN PETERSON: Is there a time
23 proposal for the project?

24 MR. VICTOR: Pardon?

25 CHAIRMAN PETERSON: Time proposal when

1 you would start, when you would expect to be
2 finished?

3 MR. VICTOR: Probably start in the
4 Springtime at this point.

5 CHAIRMAN PETERSON: Okay. We all have
6 the drawing, which I believe is current and
7 accurate.

8 MR. VICTOR: Right, because we
9 have to -- after we get preliminary approval,
10 we have to draw the plans up for the building
11 and everything, then bring them back here for
12 final approval.

13 CHAIRMAN PETERSON: Okay. Very good.

14 MR. VICTOR: Right now we're not
15 planning to build that building out in front.
16 Just the back building.

17 CHAIRMAN PETERSON: That's phase 2 I
18 think it says on here?

19 MR. VICTOR: Right.

20 CHAIRMAN PETERSON: Okay. We will be
21 asking questions, I'm sure.

22 One of the first things we have to
23 point out is this a conditional use for R-2
24 PUD zoning, so before you could do anything on
25 this piece of property, you will have to go

1 before the Zoning Appeals Board, get an
2 approval for a conditional use for that.

3 MR. VICTOR: Right.

4 CHAIRMAN PETERSON: That would take
5 place before we could do anything here.

6 We do appreciate you coming in to do
7 this. We think this is a good use of
8 everybody's time to discuss what we like, what
9 we might not like, what you can do, what you
10 might not be able to do. It gives everybody a
11 chance to do it before you put a lot of sweat
12 equity into it. We do appreciate that.

13 I guess I'll open it up to my peers
14 here on the Board for discussion and concerns.
15 I have some myself. I have some from one of
16 our Board members who is not here tonight too.

17 Frank, I'll start with you, questions,
18 comments?

19 MR. SCHINDLER: At the time present
20 time I don't see anything. Depends on how the
21 meeting goes whether I bring up a question.

22 CHAIRMAN PETERSON: Nothing on here?

23 MR. SCHINDLER: Nothing.

24 CHAIRMAN PETERSON: Hiram?

25 MR. REPERT: What's the intent of

1 this drive-thru restaurant and coffee shop? Is
2 it just for you're, or your three tenants in
3 this building?

4 MR. VICTOR: No, for everybody.
5 For the whole area. Like we have had some
6 interest possibly in a Duncan Donuts possibly
7 might want to go into that spot. We haven't
8 discussed anything with the owner of them,
9 yet.

10 MR. REPPERT: I guess I just don't
11 -- whatever.

12 CHAIRMAN PETERSON: We will get into
13 that.

14 MR. REPPERT: We will. I don't
15 know.

16 CHAIRMAN PETERSON: Ron?

17 MR. TERRIACO: Looking at the
18 existing driveway that goes back to the water
19 tower that shows on the plan, are you going to
20 be using that existing drive, or how is that
21 going to work in relationship to Painesville
22 Water?

23 MR. VICTOR: For the one off of
24 Crile?

25 MR. TERRIACO: Yes, sir.

1 MR. VICTOR: That's for the --
2 that's just going north. To come out and go
3 north on Crile Road. Then people coming from
4 the north -- from the south, driving north,
5 will be able to go in that way.

6 MR. TERRIACO: Are you going to take
7 over, lack of a better word, ownership of that
8 roadway? I thought that was Painesville
9 City's entrance to the water tower.

10 MR. VICTOR: That just an easement
11 right now, on our property, for their access.

12 CHAIRMAN PETERSON: So that would remain
13 gravel, that wouldn't be paved?

14 MR. VICTOR: No, it's going to be
15 paved.

16 CHAIRMAN PETERSON: That will be paved.

17 MR. VICTOR: Yeah.

18 MR. TERRIACO: Then who maintains
19 that?

20 MR. VICTOR: We will. It would be
21 part of our parking lot. They will come in
22 that way to get in there to the water tower
23 still back there. They still have the
24 easement to be able to drive their trucks back
25 there.

1 CHAIRMAN PETERSON: Would that also be
2 used for incoming traffic off of Crile Road
3 for the people who wanted to come into the
4 facility?

5 MR. VICTOR: Yes.

6 CHAIRMAN PETERSON: So it would be a
7 second entrance in a sense?

8 MR. VICTOR: Right. But they
9 won't be able to turn left out of there.

10 CHAIRMAN PETERSON: Right. I see that.
11 We do expect that corner where that
12 would exit or enter to get a little bit
13 busier because of the car wash that's coming
14 in, that's under construction now.

15 MR. VICTOR: Right.

16 CHAIRMAN PETERSON: So you would
17 experience a little more traffic there. I
18 don't know if it would be a problem at this
19 point. I can imagine on nice Winter days it
20 could be a problem, but I don't know how big
21 of a problem.

22 Anything else, Ron?

23 MR. TERRIACO: I would also have --
24 have we done any studies as far as sight
25 distance, so when you are coming out that

1 existing drive that we're just talked about
2 onto Crile Road, what about the sight
3 distance, have we taken that into account, or
4 is there any studies that have been done on
5 that?

6 MR. VICTOR: No.

7 CHAIRMAN PETERSON: I have a couple.

8 First of all the drive-thru, in the PUD
9 R-2 is not a permitted use. I'm not sure,
10 Heather, this is a question I guess for you,
11 it's not a conditional use, it's just not
12 permitted. Would that go before the Zoning
13 Appeals, or do they have authority over that
14 as well? Could they authorize?

15 MS. FREEMAN: That would be the
16 Board of Zoning Appeals, yes.

17 CHAIRMAN PETERSON: They could
18 authorize, even though it's not permitted?

19 MS. FREEMAN: Yes.

20 CHAIRMAN PETERSON: The so you would
21 have to get that approved. The restaurant
22 would be part of your package, that is a
23 conditional use.

24 MR. VICTOR: Right.

25 CHAIRMAN PETERSON: So you can have a

1 restaurant in there.

2 The warehouse is not a permitted use.
3 So if you were to consider a warehouse in
4 here, that would also have to be a conditional
5 approval through BZA.

6 MR. VICTOR: Yeah, those are more
7 for our storage of the construction company.

8 CHAIRMAN PETERSON: More of a storage
9 area.

10 MR. VICTOR: Yeah, for our
11 construction company, in the back part of our
12 office.

13 CHAIRMAN PETERSON: Okay.

14 Another one you had on here, I don't
15 know if you have any intention to do this, but
16 down in the typical other uses you have
17 furniture and appliance. I went through our
18 list. We have 30 commercial uses in the
19 zoning regulations. Neither one of those are
20 a conditional use or approved use. I suppose
21 if you were to do a furniture or appliance
22 store, you would have to have that approved by
23 BZA as well. Offices you're good.

24 MR. VICTOR: Right.

25 CHAIRMAN PETERSON: No problems with an

1 office.

2 I have couple comments too is that, I
3 think the Fire Department had the same
4 concern, when you come in off of Hunting Lake
5 Drive, when you come in and take a left turn
6 there, you go up and make a right turn into
7 the parking lot, you have two handicap parking
8 spots there. You have a proposed drive-thru.
9 Then you have opposite that on the right, next
10 to your office, I take it are a number of
11 head-in parking spots.

12 To me that's a real congested area
13 there right at that point when you make the
14 right turn. I'm thinking of, in terms of -- I
15 think the Fire Department was concerned with
16 getting a fire truck in there. Even an EMS
17 vehicle might be tight if there were people in
18 the drive-thru. People in the handicap
19 parking spots, people parked on the other
20 side. It really gets narrow there. I don't
21 know what that distance is from the dotted
22 line of phase one over to what appears to be a
23 sidewalk.

24 MR. REPERT: A planting, that
25 could be a planting.

1 CHAIRMAN PETERSON: That could be a
2 planting.

3 MR. REPPERT: Talking right here?

4 CHAIRMAN PETERSON: Yeah, right there.
5 I see that as a big bottle neck there. Kind
6 of an unusual traffic flow through there.

7 MR. VICTOR: Right.

8 CHAIRMAN PETERSON: Do you know what
9 that distance is from the dotted line there to
10 the protruding I guess curb on the right?

11 MR. VICTOR: Probably close to about
12 25 feet, I'm guessing there.

13 CHAIRMAN PETERSON: I think the Fire
14 Department comment is 22 feet.

15 MR. VITANTONIO: 22.

16 CHAIRMAN PETERSON: So if it's 25, I
17 guess it would be adequate. It shoots the
18 concern that it would be kind of a bottle
19 neck. Especially with cars going around the
20 restaurant. If there are anything like what I
21 see a Starbucks, where you have 15 cars in
22 line or whatever, that could get really
23 crowded in there. Actually, could circle
24 around.

25 MR. VICTOR: That's why we pushed

1 that entrance on Hunting Lake back farther,
2 back to the back, so they could stack up a
3 little bit better there, if needed.

4 CHAIRMAN PETERSON: You could have
5 customers coming in there off of Crile, on the
6 other entrance up there, coming down through
7 to get into the line, as well as coming in --
8 I can picture your development on Hunting Lake
9 there, or the Pulti development where you come
10 in, people going to work in the morning,
11 coming in there, grabbing a coffee, that line
12 could get quite long. My concern was just the
13 traffic circulation. That would be one.

14 Also, Rich Iafelice is not here tonight
15 but some of his comments that he sent us was,
16 he mentioned the warehouse, which we've
17 already discussed. The drive-thru which is
18 going to have to have a variance for traffic
19 movement was his comment. He questioned the
20 gravel drive, which we talked about.

21 He felt, and I kind of agree with him,
22 you may never need that land bank parking up
23 at the top. But if you did have to use that,
24 they would be backing right out into possible
25 traffic flow there. I think our parking

1 requirements said something about 10 foot
2 minimum from a dedicated right-of-away, right,
3 Heather? It's in the -- I looked in the
4 zoning book, 10 feet, but I don't know if
5 that's considered a dedicated right-of-way
6 even if he paves it. Kind of an access road,
7 right?

8 MS. FREEMAN: Right. That would not
9 be considered a dedicated road.

10 CHAIRMAN PETERSON: Anyway, Rich's
11 concern and I share that concern, is people
12 backing out of there, could be a little bit --

13 MR. VICTOR: Yeah, we're not
14 planning on putting those in if we don't have
15 to.

16 CHAIRMAN PETERSON: I understand.

17 MR. VICTOR: We can put in some,
18 pull it back from, eliminate some of those.

19 CHAIRMAN PETERSON: That probably may
20 be a phase 3, the parking lot, which we could
21 talk about at the time.

22 MR. VICTOR: Yeah.

23 CHAIRMAN PETERSON: Okay.

24 MR. VICTOR: I'm looking at when
25 you come in, she does have a measurement on

1 the plan of 22 feet.

2 CHAIRMAN PETERSON: 22.

3 MR. VICTOR: So, that over where
4 you were talking where the handicap spaces
5 are, that's probably 22 feet there.

6 CHAIRMAN PETERSON: Which is the
7 requirement, right, Ron, for the fire truck?

8 MR. TERRIACO: Standard is 22 feet,
9 but also turning radius comes into play also.
10 It would still be --

11 CHAIRMAN PETERSON: Would that be a
12 problem at 22 feet?

13 MR. TERRIACO: You need a 28-foot
14 turning radius is what we always go by.

15 CHAIRMAN PETERSON: To bring the truck
16 in. So that would be a problem.

17 MR. VICTOR: Over where you turn
18 though is going out, is that where you are
19 talking? It's wider at where you are turning
20 in there, turning out.

21 CHAIRMAN PETERSON: So if you came in
22 off of Hunting Lake Drive, Ron, turn left,
23 then wanted to go up between the buildings --

24 MR. TERRIACO: Correct.

25 CHAIRMAN PETERSON: You would need 28

1 feet there.

2 MR. TERRIACO: Turning radius.
3 Right, because you have that little island
4 there that comes out from his main office
5 building. With the cars parked there, so you
6 would have the width, but you still got to be
7 able to make that turn. It is very tight. It
8 is very tight in there.

9 CHAIRMAN PETERSON: That might be
10 something you could take a look at, see if you
11 could do anything with that. I don't know.
12 It sounds like it could be a little bit of an
13 obstacle.

14 Rich Iafelice also commented that he
15 didn't like the idea of coming off of a
16 residential street for the entrance, but I see
17 no -- I personally don't have any problem with
18 that. Does anybody on the Board have a
19 problem with that? The main entrance would be
20 on Hunting Lake?

21 MR. SCHINDLER: No.

22 MR. REPERT: I think actually I
23 prefer that over Crile. It would be another
24 -- you are already going to have a little
25 entrance up there. The primarily entrance,

1 primary traffic flow might be coming out of
2 Hunting Lake. Better to go in there than to
3 go out on to Crile, up there. I don't have a
4 problem with that.

5 MR. VICTOR: The residential
6 houses are back, way back.

7 CHAIRMAN PETERSON: Yeah. I'm familiar
8 with the location. I don't think the
9 neighbors would have any complaints about that
10 either, personally.

11 The concern then from the Fire
12 Department was again, fire lane, fire
13 apparatus, access road shall have an
14 unobstructed width of not less than 22 feet
15 and be installed at in a range in accordance
16 with the 2017 Fire Code Section 503 and
17 503.2.3. That's just talking about the road
18 would be marked -- fire apparatus access road
19 should be marked with no parking fire lane
20 signs if there were on there. Then he talks
21 about water flow. There the three hydrants
22 within 300 feet of you, so I don't think they
23 see that as being a problem. Would that be
24 adequate, Ron? Three hydrants in 300 feet?

25 MR. TERRIACO: Not knowing the

1 particulars of the building, I wouldn't answer
2 that.

3 CHAIRMAN PETERSON: Okay. Of course it
4 has to comply with the fire code, which we
5 know.

6 They recommend that the entire
7 structure would be protected with a sprinkler
8 system. Would that have a sprinkler in there,
9 is your intent to do that?

10 MR. VICTOR: Yes.

11 CHAIRMAN PETERSON: Monitored by a fire
12 alarm system?

13 MR. VICTOR: Correct, yeah.

14 CHAIRMAN PETERSON: Those are
15 recommendations.

16 Then I guess the only other thing would
17 be Heather's staff report here. Do you have a
18 copy of this?

19 MR. VICTOR: Yes, sir, I printed
20 it out.

21 CHAIRMAN PETERSON: Do you have any
22 problem with anything that she's got in there?

23 MR. VICTOR: No.

24 CHAIRMAN PETERSON: Everything in there
25 could be complied with?

1 MR. VICTOR: Yeah. We might be
2 able to get more parking spots following the
3 setback up on the front here too.

4 CHAIRMAN PETERSON: That's a
5 possibility.

6 MR. REPERT: One comment from
7 Heather is sidewalks. Do you we have any
8 sidewalk proposed?

9 MR. VICTOR: There will be
10 sidewalks around the building, is that where
11 you are talking, in the front?

12 MR. REPERT: It might be along
13 Hunting Lake Drive?

14 MR. VICTOR: No, no sidewalks
15 along Hunting Lake Drive, no.

16 CHAIRMAN PETERSON: There are no
17 sidewalks back in the housing area.

18 MR. REPERT: No sidewalks along
19 Crile?

20 MR. VICTOR: No. There wouldn't
21 be anywhere to tie it into.

22 MR. REPERT: Yet. Yet. Yet.

23 CHAIRMAN PETERSON: Cross that bridge
24 when we come to it I guess.

25 Heather, is there anything happening,

1 there is also a similar lot across the street
2 from this, right, between the Drug Mart
3 complex, that little wooded area there, that
4 is R-2.

5 MS. FREEMAN: That's also owned by
6 Quail Developers too.

7 CHAIRMAN PETERSON: You also own that
8 piece of property?

9 MR. VICTOR: Yes, next to the Drug
10 Mart.

11 CHAIRMAN PETERSON: The section that is
12 right there, which would be opposite your
13 driveway.

14 MR. VICTOR: Yes.

15 CHAIRMAN PETERSON: Oh, so that's yours.
16 Obviously would be no conflict whatever you do
17 in the future because you're able to control
18 it.

19 MR. VICTOR: Right.

20 CHAIRMAN PETERSON: That's a good way to
21 do it.

22 MR. VICTOR: We were planning to
23 do that one first. Then we switched to this
24 side.

25 CHAIRMAN PETERSON: Okay. Unless

1 somebody's got something else. I think that's
2 everything as long as Todd read the Zoning
3 Commission report here, and the comments, so
4 forth. You're aware of that. You know you
5 have to go to BZA for those conditional
6 approvals. Is there anything else we need to
7 point out?

8 MR. SCHINDLER: Out of curiosity, is
9 your restaurant/coffee shop and whatever going
10 to be open 24 hours a day, seven days a week?

11 MR. VICTOR: I'm not sure. We
12 haven't really talked to anybody about going
13 in there yet, so it would be up to whoever
14 would want to lease the space.

15 MR. SCHINDLER: I know in the past,
16 when things like this have gone in, 24-hour
17 service, especially when you are going through
18 the drive-thru with the loud speakers and
19 stuff, you can hear all night. Sometimes
20 becomes a hassle or a problem with the
21 residents that live in that area. That's why
22 I asked that question.

23 In some cases we've had the restaurants
24 drive-thrus only open drive-thru -- I
25 shouldn't say only open, after a certain hour

1 they shut that off so they won't disturb the
2 neighbors. Would that hopefully be the intent
3 if something like this develops?

4 MR. VICTOR: Most of the, like
5 Duncan Donuts, they shut down, they are not
6 open all night.

7 MR. SCHINDLER: Okay.

8 MR. VICTOR: We really haven't
9 talked to anybody about that space yet.

10 MR. SCHINDLER: That would be one of
11 the things I would be concerned with.

12 CHAIRMAN PETERSON: The first house
13 there would be way down here on the other side
14 of the water tower.

15 MR. VICTOR: We're not near any
16 residences.

17 MR. SCHINDLER: When it's very quiet
18 at night, sound travels quite a distance. You
19 don't hear it during the day, but at night
20 it's when it's very quiet, no breeze or
21 anything, sound travels a long distance. So
22 that's why I'm asking the question.

23 MR. VICTOR: Right.

24 MR. SCHINDLER: I've had areas where
25 I stayed personally in my personal travels in

1 hotels for example, around things like this,
2 that become an annoyance trying to fall
3 asleep. That's why I bring it up. Certain
4 establishments like you say Duncan, they do it
5 as a company practice. Other ones there is no
6 guarantee. That is why I'm bringing it up.

7 MR. VICTOR: That would be if
8 someone wanted to lease there they would have
9 to come in for approval too, right?

10 MS. FREEMAN: When that would come
11 before the Board of Zoning Appeals for
12 consideration, that would be brought up by
13 them as well. Good idea to vocalize those
14 concerns at this point too. Help you -- steer
15 you towards certain tenants types of tenants
16 versus others.

17 MR. SCHINDLER: I know our impromptu
18 meeting tonight goes in the minutes, I'm sure
19 the Zoning Board of Appeals is going to hear
20 everything tonight that we discussed.

21 MS. FREEMAN: They could.

22 MR. SCHINDLER: I would hope so.
23 Thank you.

24 MS. FREEMAN: Mr. Chairman, if you
25 don't mind, can I say a couple things about

1 have you thought about, from my experience
2 with a couple other developments, the dumpster
3 locations are kind of an afterthought but they
4 are logistically become part of the traffic
5 circulation. I don't know if you've thought
6 about where you're going to put those
7 dumpsters, are you going to have two different
8 dumpsters, are they going to be integrated
9 into the building design, so they are not some
10 other separate structure that are you trying
11 to fit in somewhere in the parking lot. You
12 don't necessarily have to have that answer
13 tonight, just something to think about as part
14 of the design.

15 MR. VICTOR: You wouldn't want it
16 seen.

17 MS. FREEMAN: I don't like the way
18 it turned out at Chipotle I can tell you. The
19 way they did it there is not desirable.
20 Especially if you're over in the plaza when
21 they are emptying the dumpster. So if we can
22 avoid a situation like that it would make it
23 nicer.

24 MR. VICTOR: We might have a
25 little more room back here with the storm

1 water is going. They didn't view the
2 calculations on that, on the detention area
3 yet. We might have a little bit more room
4 back here too.

5 MS. FREEMAN: Something to think
6 about.

7 CHAIRMAN PETERSON: That storm water
8 management area, would that be a standing pond
9 that would always be full, or only during rain
10 and then it would drain off?

11 MR. VICTOR: I think that one was
12 supposed to be a dry basin.

13 CHAIRMAN PETERSON: That's what I was
14 wondering.

15 MR. VICTOR: Fill up only when it
16 rains.

17 CHAIRMAN PETERSON: That way you avoid
18 the geese. Geese all over your parking lot.

19 MR. VICTOR: Yeah, that's a
20 concern too.

21 CHAIRMAN PETERSON: Do we have anything
22 else? Gentlemen?

23 I think the biggest concern seems to be
24 situated around the traffic flow. Obviously
25 the variances that you still have to get from

1 BZA. I guess the next trip is to go see the
2 BZA on the conditional use permits that you
3 need. Give that some thought as to the
4 traffic flow. Especially at that congestion
5 point on the corner there.

6 MR. VICTOR: Right.

7 CHAIRMAN PETERSON: Then the dumpsters
8 obviously too, because they take some space.
9 I guess we have nothing else for you. Good
10 luck on the project and you'll be back to see
11 us to get your approval.

12 MR. VICTOR: Thanks.

13 CHAIRMAN PETERSON: You know what we're
14 looking for.

15 MR. VICTOR: Right. Thank you.

16 CHAIRMAN PETERSON: You're welcome.

17 Our next item of business, if I can
18 find my agenda, is old business. And this was
19 going to be a tabled work session, but it's
20 unable because Heather has some new
21 information here.

22 MS. FREEMAN: Mr. Chairman, we
23 might want to take a vote to untable it, to
24 put it back. It was still tabled on the
25 agenda this evening.

1 CHAIRMAN PETERSON: We are untabling.
2 Can I have a motion from one of you to bring
3 this back alive again for discussion?

4 MR. SCHINDLER: Mr. Chairman, I so
5 move that we bring this tabled topic back into
6 discussion.

7 CHAIRMAN PETERSON: Second anyone?

8 MR. REPPERT: I'll second.

9 CHAIRMAN PETERSON: Have a motion and
10 second. All in favor say aye.

11 MR. TERRIACO: Aye.

12 MR. REPPERT: Aye.

13 MR. SCHINDLER: Aye.

14 CHAIRMAN PETERSON: Aye.

15 It's untabled.

16 Is the intent tonight, Heather, I was
17 trying to figure this out from Mike Lucas'
18 memo, to schedule a public hearing for just
19 the PUD portion of this?

20 MS. FREEMAN: Just a quick
21 background for anyone listening or hearing it
22 in the room. These were zoning, pending
23 zoning text amendments that the Commission was
24 working on actually last year. We finally got
25 a little bit of feedback from our legal

1 counsel regarding those potential amendments.

2 These amendments really had to do with
3 the process of reviewing a final development
4 plan and/or any modification to an approved
5 development plan for the PUD or the RCD.

6 So, Mr. Lucas did get back to me
7 yesterday afternoon, you will see in your
8 email that he did have some comments.

9 He also said that should you want to
10 still move forward with this, that you could
11 if the Commission decided to set a public
12 hearing this evening, and then we could always
13 make some changes to this document based on
14 feedback from the county planning or also just
15 the comments that he gave during the public
16 hearing. It's really up to you if you guys
17 want to push it, set the public hearing, or if
18 you want to take a little bit more time and
19 look at what Mike's comments were.

20 CHAIRMAN PETERSON: So the public
21 hearing would be a combination of PUD and RCD?

22 MS. FREEMAN: Well, right. It's
23 all in Section 16 of the Zoning Resolution.
24 Basically the processes kind of mirror each
25 other in both. So it would affect both, yeah.

1 CHAIRMAN PETERSON: So this packet we
2 have here is what Mike Lucas reviewed,
3 correct?

4 MS. FREEMAN: Right. This was our
5 text from August of last year.

6 CHAIRMAN PETERSON: This is where we
7 got to.

8 MS. FREEMAN: It might not be
9 fresh in everyone's mind. It's been tabled
10 for quite some time.

11 CHAIRMAN PETERSON: We probably forgot
12 what we said. It's all written here.

13 MS. FREEMAN: We can kind of go
14 through it again if you like.

15 CHAIRMAN PETERSON: Do you guys want to
16 go through it tonight or you want to defer it,
17 take the next few weeks to review it? I'm
18 open either way.

19 MR. REPPERT: I would like to have
20 all five of us here.

21 MR. TERRIACO: Yes.

22 CHAIRMAN PETERSON: So, maybe the public
23 hearing would be December, instead of
24 November.

25 MS. FREEMAN: Yes, I think we will

1 hold off on scheduling that, a little bit more
2 time, at the November meeting if you guys will
3 put this on again as a work session. I'll
4 take a look. That will give me you more time
5 too to take a look at Mike's comments, maybe
6 recommend some tweaks based on his feedback.

7 CHAIRMAN PETERSON: So everyone should
8 go through this handout that she gave us
9 tonight, which we've been through before, with
10 fresh eyes, go through it. Anything we didn't
11 think of, or anything we would like to change,
12 we can discuss that next month and then
13 schedule a public hearing for December. That
14 work for everybody?

15 MR. REPERT: The changes that
16 we're looking at are still in red?

17 MS. FREEMAN: Yes.

18 CHAIRMAN PETERSON: Those are the main
19 years of concern, right? That's sound
20 reasonable. We will have a full staff. I
21 will say I won't be here in November,
22 unfortunately.

23 MS. FREEMAN: Okay.

24 CHAIRMAN PETERSON: So you guys will
25 have to do it without me. Anyhow, that's what

1 we will do then. Review it. I'll get my
2 comments to you in the interim. I'm going to
3 be out of town for a couple of weeks. I'll
4 get those to you. We will do that. Okay.

5 So that's kind of our old business
6 tonight. We will defer that to next month.

7 Anybody have anything else for
8 discussion?

9 MR. SCHINDLER: Not from me,
10 Mr. Chairman.

11 CHAIRMAN PETERSON: I have a question,
12 Heather, just general information.

13 MS. FREEMAN: Yes.

14 CHAIRMAN PETERSON: Last year we
15 approved a swimming pool company for Ravenna
16 Road. Whatever happened to that project?

17 MS. FREEMAN: At this point, he's
18 not moved forward with the project. I believe
19 that's due to the cost. Significantly higher
20 than what he was expecting.

21 CHAIRMAN PETERSON: It's been over a
22 year though, right? I'm pretty sure it was
23 last year at this time.

24 MS. FREEMAN: Yeah, it's probably
25 almost a year now.

1 CHAIRMAN PETERSON: So they are going to
2 have to reapply?

3 MS. FREEMAN: At some point that
4 approval will expire. I don't know how long
5 off the top of my head that lasts. I'll take
6 a look at that.

7 CHAIRMAN PETERSON: I just drive by
8 there and I never see anything happen.

9 MS. FREEMAN: I know, yeah.

10 CHAIRMAN PETERSON: Well, if no one else
11 has anything, our next meeting is
12 November 7th, 2023. With that, I'll adjourn
13 tonight's meeting.

14 (Meeting adjourned at 7:34 p.m.)

15

16

17

18

19

20

21

22

23

24

25

1 State of Ohio,)
) SS: CERTIFICATE
2 County of Cuyahoga.)

3 I, Constance Versagi, Court Reporter and
4 Notary Public in and for the State of Ohio, duly
5 commissioned and qualified, do hereby certify that
6 the foregoing record was by me reduced to
7 stenotypy/computer, afterward transcribed, and that
8 the foregoing is a true and correct transcript of
9 the record so given as aforesaid.

10 I do further certify that this proceeding was
11 taken at the time and place in the foregoing caption
12 specified.

13 I do further certify that I am not otherwise
14 interested in the event of this action.

15 IN WITNESS WHEREOF, I have hereunto set my
16 hand and affixed my seal of office on this 13th day
17 of October, 2023.

18
19 _____
Constance Versagi, Court Reporter and
20 Notary Public in and for the State of Ohio.
My Commission

21
22
23
24
25